United Nations A/C.1/54/PV.13

General Assembly
Fifty-fourth Session
Official Records

First Committee
13th Meeting
Thursday, 21 October 1999, 10 a.m.
New York

Chairman: Mr. González . . . . . (Chile)

The meeting was called to order at 10.15 a.m.

Agenda items 64, 65 and 67 to 85 (*continued*)

General debate on all disarmament and international security items

The Chairman (*spoke in Spanish*): Yesterday we had a long discussion, which ended around 2 p.m. It was therefore impossible to give the floor to countries that had requested to speak in exercise of the right of reply. I apologize to them, but it was obviously impossible to call on them. In accordance with our procedure, statements in exercise of the right of reply are made at the end of the discussion. As we are about to turn to the second stage of our work, I shall call now on the representatives of those countries that wish to speak in exercise of the right of reply.

Mr. Lee Kie-cheon (Republic of Korea): In response to the intervention by the representative of the Democratic People's Republic of Korea at our eleventh meeting, I would like to make a few remarks, in exercise of the right of reply, to set the record straight.

The Democratic People's Republic of Korea, as a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), has a legal obligation to comply with the International Atomic Energy Agency (IAEA) safeguards agreements. The 1994 Geneva Agreed Framework in no way released the Democratic People's Republic of Korea from this Treaty obligation. Despite the fact that the Democratic People's Republic of Korea recognized in the Agreed Framework that it remains a party to the NPT, it has so far failed to comply fully with the IAEA safeguards agreements. It is imperative that, as a party to the NPT, the Democratic People's Republic of Korea abide by its Treaty obligations by fully and faithfully implementing the agreements.

The Security Council, through its presidential statement of 1 November 1994, and the General Assembly of the United Nations and the IAEA General Conference, through the adoption of relevant resolutions every year since 1995, have repeatedly called upon the Democratic People's Republic of Korea to fully comply with its Treaty obligations and fully cooperate with the IAEA. In this regard, the adoption without a vote of the resolution at the General Conference of the IAEA in September on the implementation of the safeguards agreements in the Democratic People's Republic of Korea represents a unanimous call of the international community to that effect.

It goes without saying that the Republic of Korea remains a party directly concerned with the nuclear issue on the Korean peninsula. The Democratic People's Republic of Korea confirmed this by agreeing to the South-North Joint Declaration on the Denuclearization of the Korean Peninsula, which entered into force in 1992. We strongly urge the Democratic People's Republic of Korea to respond positively to the call of the international community by fully complying with its legal obligations as a party to the NPT and to the Joint Declaration.

Mr. Kim Sam Jong (Democratic People's Republic of Korea): I would like to respond briefly to the remarks of my South Korean colleague. We believe that South Korea

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has no right to speak about the Korean peninsula nuclear issue. I should like to give two reasons.

First, that issue originated from the nuclear threat against the North and the nuclear umbrella for the South created by the United States. The South Koreans are still interested in collaborating militarily with the United States, presenting nuclear threats to the North and begging for a nuclear umbrella. As long as nuclear threats continue and there is a nuclear umbrella on the Korean peninsula, its denuclearization can never be realized. Therefore, we consider South Korea's talking about the nuclear issue is nothing but hypocrisy.

Secondly, the Korean peninsula nuclear issue must be discussed and resolved between the Democratic People's Republic of Korea and the United States. This is proved by the fact that the Democratic People's Republic of Korea and the United States have been maintaining bilateral channels for talks since 1993, whether in New York, Geneva, Berlin or elsewhere. Accordingly, there is no reason for the South Koreans to poke their noses into the nuclear issue.

Mr. Lee Kie-cheon (Republic of Korea): I am very sorry to have to take the floor again in exercise of the right of reply. Since I spoke in order for the Committee to establish an accurate picture of the issues involved, I will refrain from repeating myself. I would like to simply emphasize that the intervention of the representative of the Democratic People's Republic of Korea was incorrect, misleading and somewhat distorted. Apart from the international obligation to fully comply with the IAEA safeguards agreements, the General Framework also clearly stipulates that

> "The DPRK will consistently take steps to implement the South-North Joint Declaration on the Denuclearization of the Korean Peninsula"

and, in article IV, 1, that

> "The DPRK will remain a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and will allow implementation of its safeguards agreement under the Treaty."

Mr. Aribi (Libyan Arab Jamahiriya) (*spoke in Arabic*): I support what the representatives of the Syrian Arab Republic and Egypt said the day before yesterday regarding the text distributed by Mr. José Bustani, the Director-General of the Organization for the Prohibition of Chemical Weapons (OPCW). My delegation agrees with Syria that Mr. Bustani should be neutral and objective; he should respect the sovereignty of Member States and emphasize the technical aspects of the question, in accordance with his mandate. He should not get involved in political issues. We are against double standards and selectivity on arms and disarmament issues, and we do not oppose the Chemical Weapons Convention. We refrain from the production of any such weapons, and are incapable of producing them, even for self-defence against aggression and occupation. We are interested in creating a better world, in which peace and security can reign.

Thematic discussion on item subjects; introduction and consideration of all draft resolutions submitted under all disarmament and international security items

The Chairman (*spoke in Spanish*): In accordance with our programme of work, the Committee will now begin the second stage of its work. This stage is rather flexible, as it was last year, in accordance with the adopted decision on the rationalization of the Committee's work. We shall combine the discussion of specific subjects and the introduction or consideration of all draft resolutions, so that sufficient time is allowed for informal consultations and discussions on all draft resolutions. I suggest that delegates inscribe their names on the list of speakers for specific meetings, if possible, so that we may organize future meetings.

Mr. Antonov (Russian Federation) (*spoke in Russian*): The Permanent Representative of the Russian Federation to the United Nations, Ambassador Sergey Lavrov, in a statement to the First Committee on 13 October explained clearly and concisely what led this delegation, together with the delegations of Belarus and China, to formulate draft resolution A/C.1/54/L.1 "Preservation of and compliance with the Anti-Ballistic Missile Treaty". In introducing it now, I would like to present some additional arguments designed to help other delegations understand the rationale behind it and consequently gain it the broadest possible support.

First, the draft is not of a confrontational nature. It is based on the language of the Treaty itself and on joint statements of the Presidents of the Russian Federation and the United States on the topic. It is not targeted against any country and does not infringe upon anybody's interests. It has a clearly declared and unambiguously constructive objective — to guarantee the preservation and strengthening of the Anti-Ballistic Missile (ABM) Treaty through strict and full compliance.

Secondly, it would be a delusion to consider the problem of preservation and strict compliance with the ABM Treaty as a purely bilateral affair in which no one other than the parties should interfere. For more than a quarter of a century already, the Treaty has been a cornerstone of strategic stability and international security, providing conditions for the process of nuclear arms reduction. It was the ABM Treaty that created the fundamental strategic prerequisites for the conclusion of a number of treaties, including the Intermediate Nuclear Forces (INF) Treaty, START I and START II. Moreover, nuclear disarmament, which had been an abstract idea before, acquired the status of one of the priority practical objectives of the international community.

Both nuclear disarmament and the future of the ABM Treaty, in their profound logical interrelationship, concern all the countries of the world, with no exception. This gives our co-sponsors and all of us reasons to raise at the General Assembly the issue of the preservation of and strict compliance with the ABM Treaty.

Thirdly, undermining or liquidating the ABM Treaty would make impossible the fulfilment of both START I and START II, as well as the continuation of the process of reducing strategic offensive weapons. More than that, the whole system of international arms control agreements would collapse. The regime of non-proliferation of nuclear weapons and means of their delivery would be undermined. Nuclear disarmament, which has lately become so possible and real, would again become an elusive dream. Our country wishes to do everything possible to prevent such a catastrophic follow-up.

Fourthly, our draft resolution follows the mainstream of agreements between the Presidents of Russia and the United States reached in Cologne in June 1999 regarding strategic offensive and defensive weapons and further strengthening of stability. As is noted in the Cologne Joint Statement,

> "Proceeding from the fundamental significance of the ABM Treaty for further reductions in strategic offensive arms, and from the need to maintain the strategic balance between the United States of America and the Russian Federation, the Parties reaffirm their commitment to that Treaty, which is a cornerstone of strategic stability, and to continuing efforts to strengthen the Treaty, to enhance its viability and effectiveness in the future."

The Presidents of Russia and the United States also stated:

> "strategic stability can be strengthened only if there is compliance with existing agreements between the Parties on limitation and reduction of arms."

That, of course, also fully applies to the ABM Treaty.

Fifthly, it is a false notion that the Russian party is ready to discuss review of the ABM Treaty, much less its core provision, article I, under which the parties undertake not to deploy ABM systems for defence of the territory of their countries, and not to provide a base for such defence. The abandonment of this commitment would deprive the Treaty of any sense.

The Cologne Joint Statement does not contain any agreement to review the Treaty. In order to make this absolutely clear, I quote here the full text of the respective paragraph from the Statement:

> "both Parties affirm their existing obligations under Article XIII of the ABM Treaty to consider possible changes in the strategic situation that have a bearing on the ABM Treaty and, as appropriate, possible proposals for further increasing the viability of this Treaty."

Hence, there is no other intention here than to confirm one of the Treaty's provisions.

Sixthly, in Cologne the parties agreed to begin discussions on the START III and ABM Treaties. However, our understanding as regards the latter Treaty is that this can only mean its preservation and strict compliance with it, in order to ensure the necessary conditions for the agreements within the START III framework. As has already been stated, the destruction of the ABM Treaty would reduce to nothing any prospects for new agreements on strategic offensive weapons.

Seventhly, we, of course, do not request the General Assembly to give any instructions to the Russian Federation or the United States as to the current dialogue between them. Both we and our co-sponsors wish only that the General Assembly would confirm the importance of preserving and strengthening the ABM Treaty through strict, full compliance. We are convinced that nobody can discredit this noble objective, which has been repeatedly confirmed in the most influential bilateral and multilateral international documents. The latest example is the statement

of the Foreign Ministers of the five permanent members of the Security Council of 23 September 1999, following a meeting with the Secretary-General, in which they

> "called for continued efforts to strengthen the Anti-Ballistic Missile Treaty and to preserve its integrity and validity, so that it remains a cornerstone in maintaining global strategic stability and world peace and in promoting further strategic nuclear arms reduction." (*S/1999/996, annex I, para.8*)

Mr. Hu Xiaodi (China) (*spoke in Chinese*): The Chinese delegation thanks the representative of the Russian Federation for his introduction of draft resolution A/C.1/54/L.1, "Preservation of and compliance with the Anti-Ballistic Missile Treaty". It was on the basis of China's consistent position on this issue that the Chinese delegation decided to join the sponsors. I wish to make some comments on the draft resolution and related questions.

The Anti-Ballistic Missile Treaty is the cornerstone of the structure for the maintenance of global strategic balance and stability today. Over the past 30 years or so it has helped bring about a relative balance and stability of forces between the States parties by limiting the development and deployment of ABM systems for defence of their territory. During the cold war the Treaty played a pivotal role in preventing the nuclear arms race between the United States and the former Soviet Union from getting out of control. Now, in the post-cold-war era, the Treaty, by restraining States parties with respect to anti-ballistic missile systems, makes possible the bilateral reduction of nuclear arms by the United States and the Russian Federation, and furnishes the necessary security framework for movement on the multilateral nuclear disarmament front.

Although the Treaty is bilateral in nature, its important role in maintaining global strategic stability, pushing forward nuclear disarmament and promoting international security has been universally recognised. The ABM Treaty is, however, now confronted with great challenges, flowing from some recent negative developments in the international situation. In seeking its own absolute security and strategic advantage, a State party to the Treaty is not only vigorously pursuing its own national missile defence programme, but also accelerating joint research into and development of theatre missile defence systems with a few other countries. Such moves not only fly in the face of the Treaty's purposes and principles, but are also very much at odds with its core provisions.

The real motive behind the repeated requests from that State party to amend the Treaty is to remove the legal barriers in order to legitimize its development and deployment of national missile defence systems. It is certain that once an amendment is made to the Treaty there could be many more to come, as a result of so-called changes in the situation, and ultimately the Treaty would be annulled; it would be a dead letter, existing in name only. This should naturally arouse the vigilance and grave concern of the international community.

We believe that revising the Treaty in pursuance of national missile defence would have a wide and far-reaching adverse impact globally.

First, such a move would have a severe negative impact on the global strategic balance and stability. Since the ABM Treaty has, since its conclusion, served as the cornerstone for the maintenance of the global strategic balance and stability, to amend it in pursuit of national missile defence would undermine the global strategic stability, trigger a new round of the arms race and put world and regional stability in jeopardy.

The history of the past century has demonstrated that the security of one country is often linked to that of others. A country can enjoy genuine security only when that security is built on the common security of all countries. The basis for security should be the mutual trust and shared interests of all countries.

If a country, with its economic prowess and scientific and technological advantages, vigorously pursues missile defence and far too frequently uses or threatens to use force in international affairs, such moves to seek absolute military superiority and put one's own security above that of others will do no good to the relaxation of the international situation. On the contrary, they will only undermine the global strategic balance and stability and deprive all other countries of their sense of security.

In a world in which every country feels insecure, all countries will seek all possible means to protect themselves, and the military factor will play an ever greater role in international relations. As a result, large amounts of financial and material resources that could otherwise be devoted to economic development will be used for a military build-up. If that happens, who will feel secure, and how can the world ever be a stable place?

Secondly, such a move would seriously hinder the nuclear disarmament process. The relative balance of forces

among major Powers in the world and the global strategic stability based upon it represent the precondition for nuclear disarmament. If such balance and stability were shattered, the nuclear disarmament process would come to a halt or even be reversed. The mutual restraint of the States parties to the Treaty with regard to anti-ballistic missile systems has created the necessary conditions for the reduction of offensive strategic weapons and thus provided a guarantee of further progress in nuclear disarmament. This Treaty and the progress in the series of START negotiations led to the indefinite extension of the Non-Proliferation Treaty (NPT), the conclusion of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) and the understanding achieved in the fissile materials cut-off treaty negotiations.

To pick up the pace of the nuclear disarmament process, the international community should maintain this momentum. However, if a certain country is bent on making substantive amendments to the Treaty with a view to legitimizing its deployment of anti-ballistic missile systems, then the precondition for strategic stability will no longer be there, and the security environment will undergo major changes. Under such circumstances, who can guarantee that existing treaties will continue to be implemented or that existing understandings will still stand? Who can guarantee that the negotiations we are to embark on will still proceed smoothly?

Nuclear disarmament will be impossible in the absence of an international environment of peace, security, stability and trust. The development and proliferation of sophisticated missile defence systems will obviously jeopardize the international nuclear disarmament endeavour. It will only poison the atmosphere, undermine the conditions needed for nuclear disarmament and raise the potential danger of a new arms race to a higher level.

The nuclear disarmament process between the United States and the Russian Federation is already at a standstill, with uncertain prospects for multilateral nuclear disarmament. Against this backdrop, we firmly believe that the international community should be even more resolute in its pursuit of the ultimate goal of the complete prohibition and thorough destruction of nuclear weapons. Once nuclear weapons are eliminated there will be no nuclear proliferation, let alone proliferation of long-range missiles and missile threats. So, in the final analysis, to exert greater efforts in the disarmament process, instead of doing otherwise, represents a correct approach if we are to reduce the threat to peace. In the current situation, it is imperative that attempts to amend and violate the ABM Treaty be checked, so as to preserve its integrity and effectiveness. This is of the utmost importance for maintaining the momentum for nuclear disarmament and pushing forward the nuclear disarmament process.

Thirdly, such a move would also disrupt international non-proliferation efforts. Nuclear disarmament constitutes the prerequisite for non-nuclear States to honour their commitment to staying non-nuclear. To amend the Treaty would legitimize the development and deployment of anti-ballistic missile systems. If such attempts were to prevail, the prerequisite and basis for nuclear disarmament would no longer be there. Under such circumstances, who can guarantee that other countries will not go back on their promises to stay non-nuclear?

The use of large numbers of missiles by some military Powers in Kosovo furnishes ample evidence of missiles' military effectiveness in today's world. It was undoubtedly the best advertisement for such weapons. So it is our view that the countries that have aggravated missile proliferation are precisely those military Powers that have paid lip service to non-proliferation.

Moreover, given that the technologies for missiles and anti-missiles are interrelated and mutually convertible, many of the technologies used in anti-missile systems can be adapted to develop and improve offensive missiles. In this context, to develop anti-missile systems, instead of checking missile proliferation, will only add to the dangers of missile proliferation and thus make the Missile Technology Control Regime even more ineffective.

With all that in view, China maintains that it is the responsibility of the international community to take every necessary step, including calling for full and strict compliance with the Treaty by all States parties, in order to preserve the integrity and effectiveness of the ABM Treaty and to ensure that it will remain as the cornerstone for maintaining global strategic stability and promoting nuclear disarmament.

We believe that it is fitting, timely and absolutely necessary for the General Assembly at this session to review this issue, since, in accordance with the Charter of the United Nations, it may discuss issues pertaining to the maintenance of international peace and security brought before it by a Member of the United Nations. Any amendment of the Treaty would undermine global strategic stability and balance, with severe consequences for nuclear disarmament and non-proliferation endeavours, thus jeopardizing the security of the entire international community. The draft resolution presented by the Russian

Federation on the defence of and compliance with the ABM Treaty is aimed at promoting and maintaining international peace and security.

The General Assembly, therefore, has both the right and the duty to discuss this important issue. China, as a sponsor of the draft resolution, will make tireless efforts, together with other countries, to seek its adoption at the current session, and to promote the objectives of nuclear disarmament.

Ms. Arce de Jeannet (Mexico) (*spoke in Spanish*): On behalf of Mr. Maged Abdelaziz, Chairman of the Disarmament Commission for the 1999 session, and the other sponsors, who are traditionally members of its Bureau, I am honoured to introduce draft resolution A/C.1/54/L.3, "Report of the Disarmament Commission".

The draft resolution is the result of consultations between members of the Disarmament Commission. It has been drafted like the draft resolutions adopted in previous years on the same item, with changes that reflect present circumstances. I should like to point out some paragraphs which contain those changes.

The second preambular paragraph has been updated, with a reference to resolution 53/79 A, adopted last year. The new fourth preambular paragraph includes a reference to decision 52/492, adopted on 8 September 1998.

Following three years of deliberation, the Commission adopted by consensus a text on two items: "The establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned" and "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N of 10 December 1996". Operative paragraph 2 recognizes the success that the Disarmament Commission has had.

At the same time, the Commission was unable to resolve the existing differences regarding the convening of the fourth special session of the General Assembly devoted to disarmament. That issue, despite its importance, and a three-month extension of the time to discuss it, was still unresolved, at least by us. Operative paragraph 3 recognizes that fact.

At its substantive session in 1999 the Disarmament Commission concluded consideration of the three items on its agenda. In accordance with the decision adopted under the rationalization of the work of the Disarmament Commission, at its resumed session in 2000 it will have two items on its agenda: one on nuclear disarmament and the second on other disarmament matters. As has been the practice, the Disarmament Commission will continue to consider this question at its organizational session at the beginning of next December. As requested by the Chairman of the Disarmament Commission, as well as the other members of the Bureau, informal consultations are to be held on this point. I intend to continue the consultation process with the greatest number of delegations possible and to submit the results at the open-ended meeting to be convened before the organizational session. As a result, the contents of subparagraphs (a) and (b) of operative paragraph 7 will be added later.

As the Committee knows, the Disarmament Commission met for three weeks and one day. In the past, that additional day created some difficulty for some delegations participating in the work of the Conference on Disarmament. Decision 52/492, adopted by the General Assembly on the recommendation of the First Committee, established that the substantive sessions of the Disarmament Commission would not exceed three weeks. That decision will be applied as of the year 2000. However, the 1999 substantive session lasted three weeks, and all went well. Operative paragraph 8 of the draft resolution reflects this new reality. By that paragraph the General Assembly would request the Disarmament Commission to meet for a period not exceeding three weeks during 2000, in accordance with decision 52/492.

The rest of the draft resolution is similar to draft resolutions adopted in previous years.

We hope that, with its slight changes and additions, draft resolution A/C.1/54/L.3 will receive consensus support from delegations, as similar draft resolutions have in the past.

The Chairman (*spoke in Spanish*): I remind delegations that tomorrow is the last day for the submission of draft resolutions. This is a deadline which will not be postponed or deferred.

The meeting rose at 11.05 a.m.

United Nations A/C.1/54/PV.14

General Assembly
Fifty-fourth Session

Official Records

First Committee
14th Meeting
Friday, 22 October 1999, 10 a.m.
New York

Chairman: Mr. González . . . . . (Chile)

The meeting was called to order at 10.15 a.m.

Statement by the Legal Counsel

The Chairman (*spoke in Spanish*): It is my honour and privilege to call on the Legal Counsel, who will make an important statement.

Mr. Corell (Legal Counsel): In the light of the statement circulated in the First Committee by the Director General of the Organization for the Prohibition of Chemical Weapons (OPCW) on 19 October 1999, I feel compelled to bring the following to the attention of the Committee.

In August 1998, prior to the opening of the fifty-third session of the General Assembly, the Director General of the Organization for the Prohibition of Chemical Weapons first raised the possibility of delivering his statement to the First Committee from the podium, as opposed to the floor, of the Main Committee. Since then various officials of the OPCW have approached the United Nations Secretariat, at different levels, with regard to the Director General's requests. Some of these inquiries were referred to the United Nations Office of Legal Affairs. In response, the Legal Counsel provided advice to the Secretary of the First Committee on 3 September 1998, met with the Director for Special Projects of the OPCW on 12 July 1999 and provided advice to the Chairman of the First Committee at the fifty-fourth session of the General Assembly on 11 October 1999.

In each of the foregoing instances, the Legal Counsel confirmed that the participation of observers is governed by the practice of the Main Committee. Such practice applies also to those who have been invited by the Committee. In accordance with the practice of the Main Committees, and in particular the First Committee, neither Member States nor observers speak from the podium. Representatives of Member States and observers alike make their statements from their seats. Unlike the plenary of the Assembly, there is no speaker's rostrum in the Main Committee. The podium is reserved for the Chairman, the Secretary and the Rapporteur of the Committee, the representative of the Secretary-General and other United Nations officials.

In each of the foregoing instances, the Legal Counsel explained, first, that this was a practice of the Committee; secondly, that it would be for the member States of the First Committee to consider and take a decision on the request by the Director General of the OPCW; and, thirdly, that if the OPCW wished to further pursue that request, it would be for the OPCW to raise the matter with interested Member States and/or the Chairman, not the Secretariat.

It was clearly explained by the Legal Counsel that this was not a matter to be decided by the Secretariat, nor could it, in the absence of consensus, be decided by the Chairman, who remains under the authority of the Committee.

As the Legal Counsel of the United Nations, I deemed it necessary to inform the Committee about what has transpired in this case and about what actions have been taken by the Secretariat, pursuant to and within the limits of its functions.

The Chairman (*spoke in Spanish*): I wish to express special thanks to the Legal Counsel for his statement on the

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subject of the statement circulated by the Director General of the Organization for the Prohibition of Chemical Weapons.

Agenda items 64, 65 and 67 to 85 (*continued*)

Thematic discussion on item subjects; introduction and consideration of all draft resolutions submitted under all disarmament and international security items

The Chairman (*spoke in Spanish*): I would remind members that, as the Committee unanimously agreed, this is the last day for the submission of draft resolutions.

Mr. Tóth (Hungary): First, Mr. Chairman, I pledge my delegation's cooperation with you. We are very happy to see you in the Chair of the First Committee.

I would like to address agenda item 83, dealing with biological weapons.

The negotiations for the protocol to the Biological Weapons Convention (BWC) are now coming to the end of their fifth year. Having begun in January 1995, the Ad Hoc Group will have met for a total of 44 weeks by the end of 1999.

Those five years of work should not, however, be seen in isolation or as the start of a new process. The negotiations are the culmination of a process begun many years ago. Both the 1986 and 1991 Review Conferences of the Biological Weapons Convention instituted procedures that aimed to build confidence among States parties to the BWC. At the Third Review Conference in 1991 the States parties also approved a study of possible verification measures by scientific experts, the so-called VEREX process. The study resulted in the 1994 Special Conference and the formation of the Ad Hoc Group.

Since 1995 the work of Ad Hoc Group has moved through three stages. First, from 1995 to mid-1997 the preliminary work of the Ad Hoc Group built upon the VEREX negotiations and final report to identify elements of a protocol. The July-August 1997 session of the Ad Hoc Group witnessed the transition to a rolling text of the draft protocol and initiated the second phase of the negotiations, the inclusion of detailed provisions in the protocol and an intensification of the work of the Ad Hoc Group, as called for by the States parties at the Fourth Review Conference. January 1999 saw the third phase of the negotiations, the move to a final framework for the protocol and the detailed negotiations on key elements.

It may be timely and relevant to look back at the evolution of the negotiations and consider what needs to be done in the period ahead of us.

At the March 1997 session the Ad Hoc Group requested the Chairman to submit to the Group a document reflecting, in a structured manner, the progress of the work of the Ad Hoc Group during its six previous sessions. Therefore, I presented a draft rolling text at the beginning of the seventh session. This rolling text became the basis of the work of the Ad Hoc Group.

In the period July 1997 to March 1999 the Ad Hoc Group had a total of 22 weeks of negotiations. During this period the Group further developed the preliminary elements of the draft protocol into a more coherent framework. Delegations inserted new concepts and debated fully many of the contentious issues, with a view to developing language in the protocol that would serve the needs of all States parties. Nonetheless, alternative versions of the text proliferated throughout. By the end of 1998 the text contained nearly 3,200 pairs of square brackets. This was to be expected, and formed part of the negotiating process. We began our work on the rolling text with preliminary elements in a draft format. This has developed in the Ad Hoc Group, as proposals were discussed, refined and formulated into a more coherent and structured form.

Interest from actors external to the Ad Hoc Group increased as time progressed. The European Community common position was first presented to the Group in March 1998. The Non-Aligned Movement issued a communiqué in May 1998, following its ministerial meeting in Cartagena de Indias. In the Final Document of the Twelfth Conference of the Heads of State or Government of the Non-Aligned Countries, held at Durban in August-September 1998, the heads of State or Government noted the progress achieved so far in negotiating of a protocol, and stressed the importance of achieving further substantive progress. In September 1998 the high-level meeting of Ministers in New York noted, *inter alia*, that the Ministers were determined to see these essential negotiations brought to a successful conclusion as soon as possible. Such political support certainly added to the momentum of the Ad Hoc Group.

The beginning of this year saw the start of 16 weeks of negotiations. As the text continued to develop, it was facilitated by the new part II documents of each Friend of the Chair seeking to identify possible solutions and facilitate the negotiations at each subsequent meeting.

Negotiations in the last four months, but especially in the September-October session, have made considerable progress towards our common goal of a protocol. Within the rolling text we have seen: first, a reduction in alternative language and the deletion of repetition across the text, resulting in a more coherent whole for the protocol; secondly, a reduction in the number of working papers submitted to the Group, indicating that the necessary elements are already within the rolling text; and, thirdly, new language to address previously contentious issues, such as the papers of the Non-Aligned Movement and other States' paper on visits.

Informal consultations are also becoming a forum more utilized by delegations, both bilateral, in respective Groups of States, and those facilitated by the Chair. In the course of the September-October session alone 97 formal and informal meetings took place. Outside the Ad Hoc Group other international organizations have begun to take an interest in how the identification and implementation of cooperative programmes might facilitate the achievement of such common goals as fighting emerging and re-emerging diseases.

Within the rolling text we have seen a marked improvement in the status of certain key articles. The definitions and criteria in article II have been streamlined and cross-referenced and addressed vis-à-vis their role in the declaration formats, declaration triggers, visits and investigations. The issue of visits as part of the procedures for follow-up after declarations is becoming more coherent. The investigation elements of the protocol are progressing at a good pace. Finally, specific measures for the enhancement of article X of the Convention have been identified and brought together in a more coherent whole in article VII of the protocol.

This does not imply that few problems remain. Many obstacles still confront the Group. Examples from each of the above include the following. First there is the issue of basic terms in article II and the impact they might have on the general purpose criterion of the Convention. Secondly, for compliance measures the actual visit package is still subject to some fundamental differences over its scope. Thirdly, with regard to the investigation procedures, the decision-making process has yet to be resolved. Fourthly, in article VII the future of transfer control arrangements and the relationship between the obligations of articles III and X of the Convention need to be addressed.

Some of these obstacles are more fundamental than others. In previous sessions these fundamental issues have been rapidly passed over, yet now, particularly in the last session, the Ad Hoc Group has begun a process of constructive engagement in these areas.

All the elements necessary for completing the work of the Ad Hoc Group are in place. At this juncture what lie before the Ad Hoc Group are the key and most difficult topics. For many States parties, these issues are of fundamental importance. However, whereas in previous sessions these issues might have been dealt with in a politically loaded atmosphere, the tenor of many discussions is now characterized by the question "How will this be implemented in practice?"

I have said that in my view the work of the Ad Hoc Group has moved through three stages. It is now my belief that the last session marked the end of the third phase. As one participant in the negotiations defined it, "We are witnessing the end of the beginning of the end game." When we assess what has been achieved and examine all the elements together, what we see is a convergence of factors pointing to the next stage of the negotiations, the move to the end game. The question, therefore, is: Will the last session in 1999 and the early sessions in 2000 initiate the end game?

The States parties to the Convention called at the Fourth Review Conference for the completion of the work of the Ad Hoc Group as soon as possible before the commencement of the Fifth Review Conference. This does not set any false deadline, but if the Ad Hoc Group can move into the final stage of its negotiations in 2000 there is no need to dwell unnecessarily on issues simply because the time is available. We might need all the time available, but all States parties agree that the completion of the work of the Ad Hoc Group and the protocols to the Biological Weapons Convention are important objectives for the international community. Thus, collectively, we should move forward as quickly as possible, without losing sight of the importance of producing a legal product of high quality.

We have managed to significantly diminish the number of brackets, especialiy as a result of the most recent session. Their number has fallen from 3,200 to 2,000. Proportionately, we have 30 per cent fewer brackets now in the rolling text than the draft Comprehensive Test-Ban Treaty (CTBT) contained in April 1996, four months prior to the conclusion of the negotiations.

We have begun to address the most difficult issues. In the September-October session, for the first time in the

history of the negotiations, a massive removal of brackets in the areas of prime importance and great complexity took place. Complex technical aspects still need to be refined, but the majority of the decisions facing the Ad Hoc Group are political in nature and thus require the most serious engagement of all parties in an active manner.

It is with some anticipation that I note that 2000 marks both the seventy-fifth anniversary of the 1925 Geneva Protocol and the twenty-fifth anniversary of the entry into force of the Biological Weapons Convention 1975. It is up to us, States parties, to mark both with achievements commensurate with the moral and political legacies these anniversaries mark for the contemporary world of global security and multilateral arms control. The opportunity to complete our work in accordance with our mandate is before us, and I am sure we will achieve that goal.

I would now like to introduce draft resolution A/C.1/54/L.19, "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

In its preamble the draft resolution notes with satisfaction that there are 143 States parties to the Convention, including all the permanent members of the Security Council.

The draft recalls the decision of the 1994 Special Conference of the States Parties to the Convention, which established an ad hoc group, open to all States parties, whose objective should be to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States parties.

The draft recalls further the forthcoming seventy-fifth anniversary of the signature of the Geneva Protocol on 17 June 1925 and the twenty-fifth anniversary of the entry into force of the Biological Weapons Convention on 26 March 1975.

In its operative part, the draft resolution welcomes the progress achieved so far in negotiating a protocol to strengthen the Convention and reaffirms the decision of the Fourth Review Conference urging the conclusion of the negotiations by the Ad Hoc Group as soon as possible before the commencement of the Fifth Review Conference and urging it to submit its report, which shall be adopted by consensus, to the States parties to be considered at a special conference.

The draft resolution reaffirms the call on all signatory States that have not yet ratified the Convention to do so without delay, and also calls upon those States that have not yet signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention, duly noting the forthcoming anniversary of the twenty-fifth year of entry into force of the Convention.

It calls upon all States parties, in this context, to accelerate the negotiations and to redouble their efforts within the Ad Hoc Group to formulate an efficient, cost-effective and practical regime and to seek early resolution of the outstanding issues through renewed flexibility in order to complete the protocol on the basis of consensus at the earliest possible date.

The draft resolution requests the Secretary-General to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences, as well as the decisions contained in the final report of the 1994 Special Conference, including all necessary assistance to the Ad Hoc Group and the special conference that is to consider the report of the Ad Hoc Group, in accordance with its mandate.

May I express the hope that the draft resolution, being sponsored by a large number of the States parties to the Convention, will receive the traditional consensus support.

The Chairman (*spoke in Spanish*): I wish to make a special appeal to all delegations that have circulated draft resolutions to introduce them formally.

I would also like to remind delegations that draft resolutions on all disarmament and international security agenda items, that is, items 64, 65 and 67 to 83, should be submitted to the secretariat by 6 p.m. today. As the Committee agreed at its organizational meeting on 23 September, there will be no extension.

The meeting rose at 10.45 a.m.

United Nations A/C.1/54/PV.15

General Assembly
Fifty-fourth Session

Official Records

First Committee
15th Meeting
Monday, 25 October 1999, 10 a.m.
New York

Chairman: Mr. González . . . . . (Chile)

The meeting was called to order at 10.15 a.m.

Agenda items 64, 65 and 67 to 85 (*continued*)

Thematic discussion on item subjects; introduction and consideration of all draft resolutions submitted under all disarmament and international security items

Mr. Benítez Sáenz (Uruguay) (*spoke in Spanish*): I have the honour to speak on behalf of the countries of the Southern Cone Common Market (MERCOSUR) — Argentina, Brazil, Paraguay and Uruguay — as well as Bolivia and Chile, with regard to draft resolution A/C.1/54/L.2, "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction", which is to be introduced later this morning.

MERCOSUR, Bolivia and Chile are proud to have been among the first associations of countries that fully supported the signing of the Convention in Ottawa. We did so because of our commitment to eliminate weapons of this type, which have caused so much damage, and continue to do so. Argentina, Bolivia, Brazil and Paraguay have already ratified the Convention, and Chile and Uruguay have declared that their constitutional steps for ratification are nearly concluded. Further, through the Declaration establishing the MERCOSUR countries, Bolivia and Chile as a zone of peace, signed by the Presidents of the six countries at the MERCOSUR summit held in Ushuaia, Argentina, on 24 July 1998, the six countries have undertaken to move forward to the declaration of MERCOSUR, Bolivia and Chile as a zone free from anti-personnel mines, and to extend this zone throughout the Western Hemisphere.

In the light of the efforts being made to that end, our region is on the way to becoming the first to declare itself free of this scourge. This objective was set by the Organization of American States in its resolutions adopted in 1996 and 1997 on making the Western Hemisphere a zone free of anti-personnel landmines. The steps taken at the highest level by the Rio Group are also worth mentioning.

Implementing the Ottawa Convention and making it universal is the essential task in the ambitious programme and further work being carried out. We are committed to continuing to make every effort in this direction.

Regrettably, the use of millions of mines affects every region of the world. Demining is still one of the greatest challenges in the process of reconstructing societies in their post-conflict stage; hence the significant contribution of this Convention, the expression of the consensus of the international community on the need for a total ban on such devices, which are contrary to international humanitarian law.

The contingents of the MERCOSUR countries, Bolivia and Chile serving in United Nations peacekeeping operations have faced the risks of these weapons, and, regrettably, have suffered losses in various parts of the world.

States parties to the Convention, meeting for the first time in Maputo, agreed to make every effort to ensure that verification and the coordination of measures for the eradication of anti-personnel mines were as effective as was expected under the Convention.

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This record contains the original texts of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

The most deplorable effects are seen in the women and children killed or mutilated by these concealed, indiscriminate weapons, which neither respect armistices nor have the capacity to obey a ceasefire. The study of the impact of armed conflict on children attached special importance to the devastating impact of these weapons of mass destruction in slow motion.

We must take every step necessary to ensure that cooperation in demining and assistance to the victims becomes a reality, as agreed in the Oslo negotiations. The Convention should provide the framework for dealing with fundamental aspects of alleviating the suffering of populations and open the way for their development.

It is now some years since the United Nations began focusing decisively upon this subject. For example, there were discussions at the level of the Security Council about demining in the context of peacekeeping operations.

We are convinced that the essential elements in the removal of these devices are the personnel involved and the creation of a secure environment in which health and social development conditions are not threatened. That is why the countries of MERCOSUR, Bolivia and Chile are doing everything they can to contribute to the solution of the problem of anti-personnel mines.

Mr. Mesdoua (Algeria) (*spoke in French*): I have great pleasure in introducing once again a draft resolution entitled, "Strengthening of Security and Cooperation in the Mediterranean Region", contained in document A/C.1/54/L.15. I do so on behalf of the following sponsors: Algeria, Andorra, Austria, Belgium, Croatia, Cyprus, Denmark, Egypt, Finland, France, Germany, Greece, Ireland, Italy, Jordan, Luxembourg, Malta, Mauritania, Monaco, Morocco, the Netherlands, Norway, Portugal, San Marino, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and the United Kingdom of Great Britain and Northern Ireland.

The regular presentation by the group of sponsors of this draft resolution demonstrates the collective will of the States of the Mediterranean basin and Europe to make the Mediterranean region a zone of peace, security and cooperation, and consequently to give it its true vocation as a lake of peace.

As everyone knows, for some years the Mediterranean and European countries have been engaged in a process of dialogue and partnership, intensifying their joint efforts to promote and consolidate peace and security in the region, and to lay the foundations of a cooperation taking many forms and of a beneficial partnership, with the final objective of securing the prosperity and stability of all the Mediterranean countries.

The Euro-Mediterranean Conference held in Barcelona in 1995 laid the foundation for a new relationship between the two sides of the Mediterranean. The second, held in April 1997 in Valletta, Malta, consolidated and strengthened this foundation by giving the opportunity to appraise the process and give the necessary political impetus to the dynamic of this partnership.

In the context of efforts made in the framework of dialogue and consultations between the two sides, ministerial meetings of the Mediterranean Forum held in Algiers in July 1997, Palma de Mallorca, Spain, in April 1998, and Valletta, Malta, in March 1999 contributed greatly, through another, complementary framework, to further strengthening these efforts.

The draft resolution is identical to resolution 53/82, adopted by this Committee and then, on 4 December 1999, by the General Assembly. It continues to address central aspects of security and cooperation in the Mediterranean. In this spirit, it recalls in its preambular part the initiatives taken by the countries of the region to consolidate peace, security and cooperation, and reaffirms the responsibility of all States to contribute to the stability and prosperity of the Mediterranean region. It also reaffirms their commitment to respect the purposes and principles of the Charter of the United Nations, and emphasizes the indivisible character of security in the region.

In its operative part the draft resolution reaffirms the fundamental principles set out in paragraphs 1 and 2, and in paragraph 4 it stresses the need to eliminate the economic and social disparities between the Mediterranean countries and to promote mutual respect and greater understanding among cultures in order to enhance peace, security and cooperation among the countries of the region.

On the subject of disarmament, the draft resolution calls on all States of the region that have not yet done so to adhere to all the multilaterally negotiated legal instruments related to disarmament and non-proliferation. Furthermore, States are encouraged to favour openness and transparency.

Finally, all the States of the region are invited to cooperate in every area in order to confront terrorism and international crime, as well as the illicit production of, and trafficking in, drugs and arms, which jeopardize friendly relations among States and hinder the development of international cooperation.

As in previous sessions, the sponsors are confident that this draft resolution will continue to enjoy the support of all members of this Committee and will therefore be adopted without a vote.

Mr. Chomar (Mozambique): It is an honour and a pleasure for me to introduce draft resolution A/C.1/54/L.2, "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

The following States are to be added to the list of sponsors: Côte d'Ivoire, which should have appeared in the very first version of the draft resolution, Malta, Slovenia, Uruguay and Zimbabwe.

As the Committee will recall, last year's draft resolution was entitled "Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction". As a result of that draft resolution, there was held this year, in May, the First Meeting of the States Parties. My country has submitted this draft resolution under agenda item 76 in its capacity as host and President of that First Meeting.

Thus far the Ottawa process has been a commendable success. The latest commitment of the international community to put an end to the scourge of landmines is contained in the Maputo Declaration (APLC/MSP.1/1999/1). It is of paramount importance that this momentum be sustained, especially because the most difficult phase of the whole process — implementation — still lies ahead. In other words, the progress made towards the achievement of the ambitious and well-intentioned goal of the complete elimination of landmines can only be realized through the universalization of the Convention.

Hence, the purpose of the draft resolution is: first, to keep up the current momentum of the process by the convening of the Second Meeting of States Parties to the Convention next year, in Geneva, to look into practical implementation issues; secondly, to urge States parties to provide complete and timely information as required in article 7 in order to promote transparency and compliance with the Convention; thirdly, to renew the invitation to all States that have not signed to do so without delay; and, fourthly, to remind States of the commitments made in Maputo to support and advance the care, rehabilitation and social and economic reintegration of landmine victims.

Since the First Meeting of States Parties to the Convention progress has been made in various areas of cooperation, including the holding in Geneva of two inter-sessional meetings of the Standing Committees of Experts, one on mine clearance and the other on assistance to victims, socio-economic reintegration and mine awareness. Three more inter-sessional meetings, on stockpile destruction, technologies for mine action and general status and operation of the Convention, will take place in December and January in Geneva. We appeal to all States parties to participate in this work, with the ultimate goal of eliminating the scourge of anti-personnel mines.

At the time of the First Meeting in Maputo we had 133 States signatories and 47 ratifications. The ratifications have now increased to 88. More States are to sign and ratify the Convention. The number of signatories and ratifications sends a clear message to the rest of the international community to join the movement against these deadly weapons.

The countries affected by anti-personnel mines are determined to attain the objectives enshrined in the Ottawa Convention. This is possible with the support of the international community, not only by providing financial and technical assistance, but also by sparing no effort to ban the production and transfer of these lethal weapons totally. Let us thus build a better future for our children, a world without mines.

We appeal to all States that truly support a comprehensive ban on landmines to remain focused on that objective and devote all their energy to that gigantic task. We welcome additional initiatives and efforts that have no negative effects on the main goal of the draft resolution, sponsored by more than 85 States.

Before I conclude, I would like to inform the Committee that the sponsors have agreed to remain focused on the objectives of the Convention, and are proposing the inclusion in the provisional agenda of the fifty-fifth session of the General Assembly of the item entitled, "Implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

Finally, I would like to request members' support through co-sponsorship of the draft resolution on this crucial issue. The ultimate goal is to obtain 188 sponsors.

Mrs. Kunadi (India): I have the honour to introduce the draft resolution entitled "Role of science and technology in the context of international security and disarmament", contained in document A/C.1/54/L./32. It is sponsored by Bangladesh, Bhutan, Costa Rica, Cuba, Fiji, Guyana, Indonesia, Kenya, the Libyan Arab Jamarihiya, Malaysia,

Nepal, Nigeria, Pakistan, Singapore, the Sudan, Sri Lanka, Viet Nam and India.

This draft resolution, which India has traditionally co-sponsored, addresses an issue of importance to the international community and to the developing world. The growth of science and technology offers immense possibilities for development, but at the same time there is a need to recognize that several of these advances are of a dual-use nature and could have military applications.

Access to scientific and technological advances for developmental purposes remains a priority issue for developing countries. In fact, such access is an impetus for economic growth and can have a positive impact on global trade. At the same time, several countries in the developing world have had to pay a cost, in terms of development, because of the persistence of discriminatory control regimes. These regimes are, in effect, no more than exclusive groupings of countries that limit the exchanges of such technologies among themselves, while denying access to other countries that require them for peaceful developmental purposes. These regimes are often non-economic barriers to normal trade and go against the generally accepted principles of global economic relations.

Exclusive export control policies were initiated to address proliferation concerns at a time when there were no global agreements that comprehensively addressed this issue. Questions have arisen whether such exclusive arrangements, with their limited membership, and made, ostensibly, for a temporary period of time, have been truly effective in achieving their stated purpose of strengthening the international non-proliferation regime, especially with regard to scientific and technological applications connected with advanced weapons and weapons of mass destruction and their means of delivery.

The Chemical Weapons Convention (CWC) — the first multilateral disarmament agreement of a universal character, eliminating a complete class of weapons of mass destruction — offered an opportunity to put in place a multilaterally negotiated, non-discriminatory legal mechanism that would address proliferation concerns emanating from unregulated transfers, while promoting the economic development of States parties. The CWC placed an obligation on States parties to review their export policies as measures that they take to prevent the spread of chemical materials and equipment for purposes contrary to the objectives of the Convention. However, the persistence of certain ad hoc control regimes, creating a dual category of States parties to the CWC, stresses the need for the early implementation of all provisions of the CWC, to safeguard its long-term viability and effectiveness.

The ongoing negotiations for an effective protocol to strengthen the effectiveness and improve the implementation of the Biological Weapons Convention of 1972 provide the States parties with an opportunity to put in place an effective system of regulation of transfers of agents, toxins, equipment and technologies relevant to the Convention, while avoiding measures that hamper the economic development of States parties. The negotiations should also benefit from the lessons learned from the implementation of the Chemical Weapons Convention since its entry into force.

The lack of a genuinely non-discriminatory universal agreement regarding nuclear weapons has also reduced the effectiveness of non-proliferation efforts in the nuclear field. Nuclear non-proliferation, in all its aspects, cannot be divorced from the need for measures that promote nuclear disarmament and the progressive elimination of nuclear weapons. Absence of a disarmament benchmark renders nuclear non-proliferation difficult not only to implement, but to measure as well.

India has consistently maintained that proliferation concerns regarding materials and technologies related to advanced weapons systems, weapons of mass destruction and their means of delivery are best addressed through multilaterally negotiated, non-discriminatory agreements which are transparent and open to universal participation. The reflection of this principle in multilateral disarmament agreements would not only improve their effectiveness, but also create an added impetus for their universality.

India has given detailed consideration to the report (A/53/202) of the Secretary-General, dated 28 July 1998, on the role of science and technology in the context of international security and disarmament. The report, which is a useful update of the earlier report (A/45/568) of the Secretary-General, dated 17 October 1990, cited specific examples in the fields of nuclear technology, space technology, materials technology, information technology and biotechnology to highlight the fact that the application of advances in science and technology in the military field was a continuing phenomenon. The dual-use nature of these technologies was an added factor of significance to be kept in mind.

Although the report did not have a "conclusions" section, its substantive sections only reconfirmed the conclusion of the 1990 report, which underlined that the international community must remain seized of this issue,

if it is to find ways of allowing technology the freedom to develop and yet, at the same time, ensure that technological advances promote, rather than place at risk, international peace and security in the years ahead.

With a view to carrying forward the consideration by the international community of the issues at hand, India, along with the other sponsors, commends the draft resolution for adoption by the Committee. We hope that it will receive the support of a large number of delegations.

Mr. Zahran (Egypt) (*spoke in Arabic*): I have the pleasure of introducing the draft resolution contained in document A/C.1/54/L.7, entitled "Establishment of a nuclear-weapon-free zone in the Middle East".

A similar draft resolution has been adopted annually by the General Assembly since 1974. Since 1980 the Assembly has adopted it by consensus. The consensus that has emerged in the General Assembly over the years with respect to this proposal and the steadfast support it has received in bilateral declarations and in various multilateral forums — most recently during the 1999 substantive session of the Disarmament Commission, with the adoption by consensus of the principles and guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned — are undoubtedly clear testimony to the viability and relevance of this concept in the Middle East.

The establishment of a nuclear-weapon-free zone in the Middle East would greatly contribute to arresting the proliferation of the threat and dangers of nuclear weapons and to strengthening the security of all States of the region, and consequently would be deemed an important confidence-building measure towards the achievement of a just, comprehensive and lasting peace in the Middle East.

During the forty-fifth session of the General Assembly the study on effective and verifiable measures which would facilitate the establishment of a nuclear-weapon-free zone in the Middle East was presented for this Committee's consideration. The study was well received, as a useful and balanced approach to attaining an important objective. I wish to refer to its conclusions, where it is stated:

(*spoke in English*)

> "There is no doubt that the goal can be reached; it is not an idle dream ...
>
> "The effort required will be great, but so will the benefits of success." (*A/45/435, paras. 175 and 176*)

For over 18 years now the Middle East nuclear-weapon-free zone has been universally anticipated, a record that testifies to the overwhelming support for its creation. However, the plain truth is that this objective seems to be eluding us; no concrete measures, no operational measures and no serious talks have yet been held, formally or informally, between regional parties with a view to putting into practice what all of us here seem to want.

Despite the general frustration over the stagnation of the efforts to establish the Middle East nuclear-weapon-free zone, Egypt firmly supports the implementation of the draft resolution that the Committee annually adopts. Nevertheless, our endorsement of it must not be misconstrued or misinterpreted as tacit acquiescence.

To the contrary, Egypt continues to be committed to the earliest establishment and implementation of the principles and provisions for a nuclear-weapon-free zone in the Middle East, and indeed, of a zone free from all weapons of mass destruction. In a region fraught with tension such as the Middle East, the zone cannot be looked upon as an a posteriori peace dividend; instead, it must be seen as an essential confidence-building measure, facilitating and leading the way towards a just, comprehensive and lasting peace in the Middle East.

In the light of the welcome adoption by consensus by the Disarmament Commission of the principles and guidelines on the establishment of nuclear-weapon-free zones, we deemed it appropriate to introduce a new twelfth preambular paragraph, noting the report of the Disarmament Commission at its 1999 substantive session and welcoming the adoption of the principles and guidelines contained therein. It would be remiss of us not to do so, as this remarkable work reflects, in the final analysis, our common beliefs reached by mutual consent and understanding.

It is our considered opinion that the time is now more than ripe to proceed towards the establishment of a nuclear-weapon-free zone in the Middle East. For this reason, operative paragraph 10 endeavours once again to utilize the good offices of the Secretary-General to give the process the required impetus. It seems to be timely today that we seriously embark on laying the solid foundations on which to proceed. In this regard, the same operative paragraph requests the Secretary-General to pursue his consultations with the States of the region and other concerned States.

I also draw attention to the eighth preambular paragraph and operative paragraph 9, in which reference is made to the establishment of a zone free of weapons of

mass destruction in the Middle East. This initiative is aimed at broadening the scope of the 1974 initiative by adding to it the chemical weapons and biological weapons dimension.

Since the announcement of this initiative by President Mubarak on 9 April 1990, later encompassed by his broader initiative in June 1998 to convene an international conference to free the world from all weapons of mass destruction, the 1990 initiative has been attracting ever growing support. The Security Council, for example, adopted on 8 April 1991 resolution 687 (1991), paragraph 14 of which reiterates, in essence, the need to work towards the establishment in the Middle East of a zone free from all weapons of mass destruction.

Finally, in commending this draft resolution to the First Committee, I earnestly hope that it will receive the same support as previous similar draft resolutions and will be adopted, as before, without a vote.

Mrs. Kunadi (India): I have the honour to introduce the draft resolution entitled "Convention on the Prohibition of Use of Nuclear Weapons", contained in document A/C.1/54/L.33, sponsored by Bangladesh, Bhutan, Brunei Darussalam, Colombia, Costa Rica, Cuba, the Democratic People's Republic of Korea, Egypt, Fiji, Guyana, Indonesia, Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Malaysia, Mexico, Nepal, Namibia, the Sudan, Viet Nam and India.

The draft resolution goes to the very core of the nuclearized global order, which persists even now, a decade after the end of the cold war. Nuclear weapons continue to be viewed as a legitimate currency of power, with certain States claiming the right to possess them in perpetuity. Doctrines of first use of nuclear weapons have been revalidated and reaffirmed, even though the threat perceptions that originally gave rise to them disappeared long ago. There are those that reserve the right to use nuclear weapons first, even against non-nuclear threats and threats from other weapons of mass destruction.

There is a need to address this threat to humanity at various levels. At the level of political commitment, backed by legally binding agreements, it is important that there be a reorientation of nuclear doctrines towards a no-first-use and no-use policy, thus delegitimizing nuclear weapons globally.

The historic advisory opinion of the International Court of Justice in 1996 made international humanitarian law applicable to the use of nuclear weapons. At the Conference in Rome last year on the Statute of the International Criminal Court (ICC) India formally proposed that use or threat of use of nuclear weapons should be a crime on the Statute of the ICC. This was not accepted.

There is a need to remove any ambiguity that may be resorted to in justifying of the use of nuclear weapons. The international community needs to take decisive steps to delegitimize nuclear weapons as an essential element in the step-by-step process leading to their elimination. There is therefore a need for a legally binding instrument prohibiting the use or threat of nuclear weapons.

The draft resolution, as in previous years, underlines the fact that the use of nuclear weapons poses the most serious threat to the survival of mankind; refers to the International Court of Justice's advisory opinion of 1996, that the use or threat of use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict; and expresses the conviction that a multilateral agreement prohibiting the use of nuclear weapons would strengthen international security and contribute to the climate for the negotiations leading to their elimination.

The draft resolution reiterates the request to the Conference on Disarmament to commence negotiations to reach agreement on an international convention prohibiting the use or threat of use of nuclear weapons. We regret that, due to the inflexible position of certain delegations, the Conference on Disarmament has not been able thus far to commence negotiations on this subject.

In commending the draft resolution to the Committee as a measure that would be of far-reaching significance and perhaps constitute the first nuclear disarmament agreement, the Indian delegation, along with all the co-sponsors, expresses the hope that it will receive the widest possible support in the Committee. A positive vote will also be a vote of confidence that the international community can take decisive steps on the path leading to the elimination of nuclear weapons. On the eve of the new millennium, a vote in favour of this draft resolution would also be a vote of confidence that the international community can take decisive steps towards the goal of ridding the world of nuclear weapons.

The meeting rose at 11.05 a.m.